

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CHRISTOPHER T. BRADY,
Plaintiff

-VS-

D.A. INTAKE, #24097633, D.A.
INVESTIGATOR, #1162630, SHERIFF
JAVIER SALAZAR, CHIEF WILLIAM
MCMANUS, SAN ANTONIO POLICE
DEPARTMENT; AND MAGISTRATE
JUDGE,
Defendants

SA-25-CV-00278-XR

ORDER ADOPTING REPORT AND RECOMMENDATION

On this date the Court considered United States Magistrate Judge Elizabeth S. Chestney’s Report and Recommendation (“Recommendation”) in the above-numbered case, filed May 8, 2025 (ECF No. 6), recommending that this case be **DISMISSED** for want of prosecution and failure to follow a court order. After careful consideration, the Court **ADOPTS** the Magistrate Judge’s Recommendation.

BACKGROUND

Plaintiff Christopher T. Brady, proceeding *pro se*, filed a motion to proceed IFP and proposed Complaint on March 14, 2025. ECF No. 1. Judge Chestney granted his motion to proceed IFP and screened Plaintiff's Complaint under 28 U.S.C. § 1915(e). ECF No. 3 at 2. Judge Chestney found nearly all his claims meritless, but ordered Plaintiff to file a More Definite Statement regarding his malicious prosecution claim. ECF No. 3 at 4–8. Plaintiff's More Definite Statement was due by April 25, 2025, but Plaintiff failed to file one.

Accordingly, Judge Chestney recommended this case be dismissed for want of prosecution under Federal Rule of Civil Procedure 41(b). ECF No. 4.

ANALYSIS

Any party who desires to object to a Magistrate Judge's findings and recommendations must serve and file his or her written objections within fourteen days after being served with a copy of the findings and recommendations. 28 U.S.C. § 636(b)(1). Plaintiff was mailed a copy of the Report and Recommendation via Certified Mail on May 9, 2025, ECF No. 7, and acknowledged receipt on May 14, 2025, ECF No. 9. To date, no objections have been filed with the Court.

Because Plaintiff has not timely objected to the Recommendation, the Court need not conduct a *de novo* review. *See* 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.").

The Court has reviewed the Recommendation and finds it to be neither clearly erroneous nor contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). Accordingly, the Court **ADOPTS** the Judge Chestney's Report and Recommendation in all respects.

CONCLUSION

For the foregoing reasons, the Court **ACCEPTS** and **ADOPTS** the Magistrate Judge's Report and Recommendation (ECF No. 4). Accordingly, this case is **DISMISSED WITHOUT PREJUDICE** for want of prosecution and failure to follow a court order. A final judgment under Rule 58 will issue separately.

The Clerk is **DIRECTED** to **CLOSE THIS CASE**.

It is so **ORDERED**.

SIGNED this 5th day of June, 2025.

A handwritten signature in blue ink, consisting of a large, stylized loop followed by a horizontal stroke.

XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE